STATE CAPITOL P.O. Box 110001 Juneau, AK 99811-0001 907-465-3500



550 West Seventh Avenue, Suite 1700 Anchorage, AK 99501 907-269-7450

May 23, 2019

The Honorable Bert Stedman Co-Chair, Senate Finance Committee Alaska State Senate State Capitol Room 518 Juneau, AK 99801

The Honorable Neal Foster Co-Chair, House Finance Committee Alaska House of Representatives State Capitol Room 505 Juneau, AK 99801 The Honorable Natasha von Imhof Co-Chair, Senate Finance Committee Alaska State Senate State Capitol Room 516 Juneau, AK 99801

The Honorable Tammie Wilson Co-Chair, House Finance Committee Alaska House of Representatives State Capitol Room 511 Juneau, AK 99801

Dear Senators Stedman and von Imhof, Representatives Foster and Wilson:

I was notified by the Office of Management and Budget (OMB) that the departments and programs listed below are realizing significant FY 19 budget shortfalls. The shortfalls in these departments will have an impact on the operations of each department or poses a legal risk of funding at this time.

Each of these items were submitted to the Legislature, through the supplemental appropriation process, as necessary items to address to prevent a reduction in services, and in at least one case, eliminate a risk to life, health, and safety issues of patients and staff at the Alaska Psychiatric Institute.

Department of Education & Early Development – Title 1 and School Improvement Grants \$10,000,000 Federal Funds

FY 19 Supplemental Appropriation (presented to the Legislature in the March 14 supplemental amendment package).

Purpose: DEED serves as the pass-through from the federal government to distribute grant awards to districts and communities. DEED needs the FY 19 supplemental authorization in order to ensure the timely distribution of dollars to districts for programs.

Co-chairs Senators Stedman and von Imhof, Representatives Foster and Wilson May 23, 2019
Page 2 of 3

Department of Corrections – Inmate Health Care

\$3,000,000 Unrestricted General Funds

FY 19 Supplemental Appropriation (presented to the Legislature in the March 27 supplemental amendment package).

Purpose: The supplemental appropriation is needed to cover increased inmate health care costs, increased pharmaceutical costs, increased contractual obligations, and physical health care staff cost due to overtime for medical coverage.

Department of Health and Social Services – Medicaid Services – Health Care Services \$15,000,000 Unrestricted General Funds

FY 19 Supplemental Appropriation (included in HB 54 (2/20/2019) and SB 39 (1/28/2019) Supplemental Appropriation bills.

Purpose: There is no other source of funds available for Medicaid Services that would not result in short-funding another program. Medicaid Services is anticipating running out of sufficient funds at the end of May. DHSS will have to prioritize provider payments due to the shortfall. In 2016, when a short-fall in Medicaid Services occurred, the providers that were most impacted were smaller providers in smaller communities. The effect of this is two-fold: providers could stop providing medical services because they won't receive payment from the State of Alaska, thus exacerbating access to health care in smaller communities. DHSS would prioritize provider payments similarly to the process they followed in 2018 (FY 18). Payments would be suspended based on 1) large hospitals and nursing homes, 2) regular FMAP claims of 50%, and 3) make every attempt to hold smaller providers harmless.

Last year, Federal spending authority was not an issue as it is this year. At this time, both Federal and State spending authority will be exhausted by the end of the June 3, 2019 week. In addition, all tribal health reclaiming and drug rebates cannot be processed due to the shortfall of Federal spending authority.

Department of Health and Social Services – Alaska Psychiatric Institute \$7,000,000 Unrestricted General Funds

FY 19 Supplemental Appropriation (presented to the Legislature in the March 27 supplemental amendment package).

Purpose: This appropriation is a life, health, safety issue for patients and staff at the facility, as DHSS cannot make payments to contractors for security and medical locum tenens (medical staff).

Co-chairs Senators Stedman and von Imhof, Representatives Foster and Wilson May 23, 2019
Page 3 of 3

Department of Public Safety – Alaska State Trooper – Personal Services \$3,527,400 Unrestricted General Funds

FY 19 Supplemental Appropriation (included in HB 54 (2/20/2019) and SB 39 (1/28/2019) Supplemental Appropriation bills).

Purpose: Payroll for Alaska State Troopers will continue to be paid, however, the DPS personal services line is out of money. Essentially, once the supplemental funds are received, those funds will be used to backfill the General Fund, rather than coming from the DPS personal services line, as is technically and legally correct.

Each item was included in SCS CSSSHB 39 (FIN) am S, and has been adopted as an item in the Conference Committee on HB 39. Had the Legislature been able to conclude work on HB 39 prior to the end of the first regular session, the supplemental appropriations would have been authorized, thus avoiding the short-fall situation that the departments now find themselves in. There is no alternative to fund these items through the remainder of FY 19.

I am requesting that the Conference Committee on HB 39 conclude their work in a timely manner and issue a report to each body to approve. It is distressing that due to lack of action on the supplemental appropriations listed above, many that have been before the Legislature since as early as January 28, 2019, agencies will have to make decisions outside of their control that will impact Alaskans and businesses.

The Department of Law, Office of Management and Budget, and the Department of Administration have already begun the necessary steps and planning to address the Legislature failing to pass an FY 2020 budget by June 30, 2019.

Again, I urge the members of the Conference Committee to conclude deliberations and deliver a budget that funds essential services without impacting the day-to-day lives of Alaskans.

Sincerely,

Michael J. Dunleavy

Governor

Attachments

cc: Ms. Donna Arduin, Director, Office of Management and Budget

Ms. Suzanne Cunningham, Director, Governor's Legislative Office

Change Record Detail with Description - Ignoring Included Scenarios (355) **Department of Education and Early Development**

Scenario: FY2019 Supplemental Amend March 14 (15917)

Component: Student and School Achievement (AR ESSA) (2796)

RDU: Education Support and Administrative Services (677)

Additional Federal Receipts for U.S. Department of Education Grants

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1002 Fed Rcpts

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Each year the Department of Education and Early Development administers grant funds awarded from the federal government to school districts and non-profit organizations. These grants include Title I and School Improvement Grants from the U.S. Department of Education. A majority of these federal grants have a life cycle of 27 months and are awarded annually from the federal government, however, due to the State fiscal year dates not aligning with the grant cycle, grants are awarded in the full amount upon approval of the sub-grantee in the application process. Any amount of funds unspent in the previous year are subsequently awarded in the concurrent years until the grant ends, and remaining funding is forfeited. This makes the annual amount awarded to sub-grantees variable due to the actual amounts spent. This request increases the FY2019 Student and School Achievement federal but is variable based on need and it is supported below with historical variable authority: authorization by \$10,000.0 in the grants line to allow for these payments. Overall, the increased need for authority in this appropriation has an upward trend 10,000.0

FY2016 - \$147,969.0 FY2017 - \$146,400.4 FY2018 - \$153,924.4 FY2019 - \$150,711.3

This year, it has become evident that awards have exceeded current remaining authority available. If this request is not approved, the department will be unable to honor award amounts for FY2019 and will cause undue hardship for communities and school districts across the State.

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Change Record Detail with Description - Ignoring Included Scenarios (355) Department of Health and Social Services

Scenario: FY2019 Supplemental Amend March 27 (15939)
Component: Alaska Psychiatric Institute (AR H029) (311)

RDU: Behavioral Health (483)

Alaska Psychiatric Institute Transition to Public/Private Partnership

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A contract has been established with a private entity to address long-standing issues at API and to ensure the health and safety of all patients and staff. Phase one of this process consists of a \$5,000.0 payment in FY2019 where the contractor will take all actions reasonably necessary for API to reach its full bed capacity of 80, come into compliance with all regulatory authority (licensing, certification, and accreditation) and hiring the necessary staff to run a 1004 Gen Fund 7,000.0

successful psychiatric hospital.

Concurrently, several other unanticipated needs were identified, representing necessary expenditures required to bring the facility into compliance with regulatory authorities. These needs include patient furniture upgrades, building safety plan updates, additional relief nursing staff costs, joint commission consulting, additional costs associated with the WEKA security contract, and various other life-health-and safety upgrades required to operate the facility in a safe and efficient manner. Additionally, API will contract with locum tenens to support 10 beds in the forensics unit in an effort to address the backllog of patients currently awaiting evaluation in hospital emergency departments and the Department of Corrections. It is anticipated that these additional needs will amount to \$2,000.0 beyond the currently authorized budget for the facility by the end of fiscal year 2019.

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Change Record Detail with Description Department of Health and Social Services

Scenario:

Component: RDU: FY2019 Supplemental (15621) Health Care Medicaid Services (AR H107) (2077)

Medicaid Services (595)

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1002 Fed Rcpts

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The Department of Health and Social Services is requesting an additional \$15,000.0 in general fund authority for the Health Care Medicaid Services component. This request is necessary because \$37,845.8 in general funds was used to pay for FY2018 claims from the FY2019 budget, although the amount required was partially offset by the following:

Component Totals 90,000.0 0.0 0.0 0.0 0.0 90,000.0 0.0

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[•]Delayed implementation of Medicaid Managed Care to FY2020 resulting in a reduction of \$31,000.0 implementation in FY2019 of the Individualized Service 1915(c) Waiver resulting in an increase of \$1,500.0 implementation in FY2019 of the Community First Choice 1915(k) plan option resulting in an increase of \$3,520.0

Implementation in FY2019 of Autism Services resulting in an increase of \$3,250.0

Change Record Detail with Description - Ignoring Included Scenarios (355) **Department of Corrections**

Scenario: FY2019 Supplemental Amend March 27 (15939) Component: Physical Health Care (AR JPHC) (2952)

RDU: Health and Rehabilitation Services (638)

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ncreased Costs for Nursing Shortages, Medical Fees, Chronic Disease, and Pharmaceuticals 3,000.0 0.0 0.0 3,000.0 1004 Gen Fund 3,000.0	Totals
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Additional funding is needed to cover a projected shortfall of \$3,000.0 for FY2019. The Department of Corrections (DOC) is obligated to deliver essential medical care to incarcerated offenders under AS 33.30.011(4).

This supplemental is needed to meet the increased inmate health care costs, increased pharmaceutical costs, increased contractual obligations and physical health care staff cost due to overtime for medical coverage.

A shortfall is projected in the personal services line. The driving factors include increased reimbursement cost for health practitioners who provide afterhours telehealth services, registered nurses salaries were increased to bring them more in line with private sector salaries, and overtime for medical coverage. The Physical Health Care component cannot absorb these expenditures within the personal services line.

In addition, a shortfall is projected in the services and commodities lines. This shortfall is primarily related to medical fees for hospital services, increases in laboratory costs, hospital contracts rates, medical equipment such as hospital beds, EKG machines, x-ray machines, dental chairs etc.

The cost of health care overall increases significantly every year. In FY2019 we have seen dramatic increases in the cost of cancer treatments and treatment for hepatis C. Approximately 22% of our offender population has hepatitis C, and it is estimated that 40 offenders will be treated at a cost of \$960,000 (\$24,000 per treatment).

The amount necessary is appropriated from the general fund, to the Department of Corrections, Physical Health Care component for fiscal year ending June 30, 2019.

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Scenario: FY2019 Supplemental (15621)

Component: Special Projects (AR P210) (1001)

Alaska State Troopers (160)

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FY19 Classification Action for State Troopers to Retain & Recruit (ADN: 12-2019-3046)

1004 Gen Fund

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The salary ranges of job classes in the Law Enforcement Job Family (PJ01) responsible for front-line law enforcement activities were increased by one range effective September 1, 2018. This applied to all positions of the State Trooper ranks, from State Trooper Recruit to Major. This supplemental is needed to cover the increased personal services costs as a result of this action.

\$ 3,612.1 of General Fund authorization is allocated as follows:

\$ 6.4 Special Projects

\$ 43.8 Alaska Bureau of Highway Patrol \$ 30.7 Alaska Bureau of Judicial Services

\$ 301.4 Statewide Drug and Alcohol Enforcement Unit

\$ 2,285.4 Alaska State Trooper Detachments

\$ 113.8 Alaska Bureau of Investigation \$ 730.9 AK Wildlife Troopers

\$ 15.0 AK Wildlife Troopers Aircraft Section \$ 22.5 Village Public Safety Officer Program \$ 62.1 Training Academy

Component Totals 6.4 6.4 0.0 0.0 0.0 0.0 0.0 0.0 0 0 0

Scenario: FY2019 Supplemental (15621)

Component: Alaska Bureau of Highway Patrol (AR P215) (3073) Alaska State Troopers (160)

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FY19 Classification Action for State Troopers to Retain & Recruit (ADN: 12-2019-3046)
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The salary ranges of job classes in the Law Enforcement Job Family (PJ01) responsible for front-line law enforcement activities were increased by one range effective September 1, 2018. This applied to all positions of the State Trooper ranks, from State Trooper Recruit to Major. This supplemental is needed to cover the increased personal services costs as a result of this action.

\$3,612.1 of General Fund authorization is allocated as follows:

\$ 6.4 Special Projects

\$ 43.8 Alaska Bureau of Highway Patrol
\$ 30.7 Alaska Bureau of Judicial Services
\$ 301.4 Statewide Drug and Alcohol Enforcement Unit
\$ 2,285.4 Alaska State Trooper Detachments
\$ 113.8 Alaska Bureau of Investigation

\$ 730.9 AK Wildlife Troopers

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Scenario: FY2019 Supplemental (15621)

Component: Alaska Bureau of Judicial Services (AR P220) (2885) Alaska State Troopers (160)

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the increased personal services costs as a result of this action. The salary ranges of job classes in the Law Enforcement Job Family (PJ01) responsible for front-line law enforcement activities were increased by one range effective September 1, 2018. This applied to all positions of the State Trooper ranks, from State Trooper Recruit to Major. This supplemental is needed to cover FY19 Classification Action for State Troopers to Retain & Recruit (ADN: 12-2019-3046)
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\$3,612.1 of General Fund authorization is allocated as follows:

\$ 6.4 Special Projects

\$ 43.8 Alaska Bureau of Highway Patrol
\$ 30.7 Alaska Bureau of Judicial Services
\$ 301.4 Statewide Drug and Alcohol Enforcement Unit
\$ 2,285.4 Alaska State Trooper Detachments

\$ 113.8 Alaska Bureau of Investigation

\$ 15.0 AK Wildlife Troopers Aircraft Section \$ 730.9 AK Wildlife Troopers

22.5 Village Public Safety Officer Program

\$ 62.1 Training Academy

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Scenario:

Component: RDU: FY2019 Supplemental (15621)
Statewide Drug and Alcohol Enforcement Unit (AR P260) (3052)

Alaska State Troopers (160)

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FY19 Classification Action for State Troopers to Retain & Recruit (ADN: 12-2019-3046)
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The salary ranges of job classes in the Law Enforcement Job Family (PJ01) responsible for front-line law enforcement activities were increased by one range effective September 1, 2018. This applied to all positions of the State Trooper ranks, from State Trooper Recruit to Major. This supplemental is needed to cover the increased personal services costs as a result of this action.

\$ 3,612.1 of General Fund authorization is allocated as follows:

\$ 6.4 Special Projects
\$ 43.8 Alaska Bureau of Highway Patrol
\$ 30.7 Alaska Bureau of Judicial Services
\$ 301.4 Statewide Drug and Alcohol Enforcement Unit
\$ 2,285.4 Alaska State Trooper Detachments

\$ 113.8 Alaska Bureau of Investigation \$ 730.9 AK Wildlife Troopers

\$ 15.0 AK Wildlife Troopers Aircraft Section \$ 22.5 Village Public Safety Officer Program \$ 62.1 Training Academy

Component Totals 301.4 301.4 0.0 0.0 0.0 0.0 0.0 0.0 0 0 0

Scenario: Component:

FY2019 Supplemental (15621) Alaska State Trooper Detachments (AR P270) (2325) Alaska State Troopers (160)

FY19 Classification Action for State Troopers to Retain & Recruit (ADN: 12-2019-3046 Suppl 2,285.4 2,285.4 0.0	Scenario/Change Record Title
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The salary ranges of job classes in the Law Enforcement Job Family (PJ01) responsible for front-line law enforcement activities were increased by one range effective September 1, 2018. This applied to all positions of the State Trooper ranks, from State Trooper Recruit to Major. This supplemental is needed to cover the increased personal services costs as a result of this action.

\$3,612.1 of General Fund authorization is allocated as follows:

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\$ 43.8 Alaska Bureau of Highway Patrol
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Scenario: FY2019 Supplemental (15621)

Component: Alaska Bureau of Investigation (AR P280) (2744)
Alaska State Troopers (160)

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1004 Gen Fund 113.8 FY19 Classification Action for State Troopers to Retain & Recruit (ADN: 12-2019-3046)

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The salary ranges of job classes in the Law Enforcement Job Family (PJ01) responsible for front-line law enforcement activities were increased by one range effective September 1, 2018. This applied to all positions of the State Trooper ranks, from State Trooper Recruit to Major. This supplemental is needed to cover the increased personal services costs as a result of this action.

\$3,612.1 of General Fund authorization is allocated as follows:

\$ 6.4 Special Projects

\$ 43.8 Alaska Bureau of Highway Patrol
\$ 30.7 Alaska Bureau of Judicial Services
\$ 301.4 Statewide Drug and Alcohol Enforcement Unit
\$ 2,285.4 Alaska State Trooper Detachments

\$ 113.8 Alaska Bureau of Investigation

\$ 730.9 AK Wildlife Troopers

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Scenario: FY2019 Supplemental (15621)

Component: Alaska Wildlife Troopers (AR P300) (2746) Alaska State Troopers (160)

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FY19 Classification Action for State Troopers to Retain & Recruit (ADN: 12-2019-3046)

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The salary ranges of job classes in the Law Enforcement Job Family (PJ01) responsible for front-line law enforcement activities were increased by one range effective September 1, 2018. This applied to all positions of the State Trooper ranks, from State Trooper Recruit to Major. This supplemental is needed to cover the increased personal services costs as a result of this action. 0.0 0.0 0 0

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\$3,612.1 of General Fund authorization is allocated as follows:

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\$ 43.8 Alaska Bureau of Highway Patrol
\$ 30.7 Alaska Bureau of Judicial Services
\$ 301.4 Statewide Drug and Alcohol Enforcement Unit
\$ 2,285.4 Alaska State Trooper Detachments

\$ 113.8 Alaska Bureau of Investigation \$ 730.9 AK Wildlife Troopers

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Scenario: FY2019 Supplemental (15621)

Component: Alaska Wildlife Troopers Aircraft Section (AR P310) (492)

Alaska State Troopers (160)

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1004 Gen Fund 15.0 FY19 Classification Action for State Troopers to Retain & Recruit (ADN: 12-2019-3046)

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The salary ranges of job classes in the Law Enforcement Job Family (PJ01) responsible for front-line law enforcement activities were increased by one range effective September 1, 2018. This applied to all positions of the State Trooper ranks, from State Trooper Recruit to Major. This supplemental is needed to cover the increased personal services costs as a result of this action.

\$3,612.1 of General Fund authorization is allocated as follows:

\$ 6.4 Special Projects
\$ 43.8 Alaska Bureau of Highway Patrol
\$ 30.7 Alaska Bureau of Judicial Services
\$ 301.4 Statewide Drug and Alcohol Enforcement Unit
\$ 2,285.4 Alaska State Trooper Detachments

\$ 113.8 Alaska Bureau of Investigation

\$ 730.9 AK Wildlife Troopers
\$ 15.0 AK Wildlife Troopers Aircraft Section
\$ 22.5 Village Public Safety Officer Program
\$ 62.1 Training Academy

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Scenario: FY2019 Supplemental (15621)

Component: Village Public Safety Officer Program (AR P400) (3047)
Village Public Safety Officer Program (161)

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The salary ranges of job classes in the Law Enforcement Job Family (PJ01) responsible for front-line law enforcement activities were increased by one range effective September 1, 2018. This applied to all positions of the State Trooper ranks, from State Trooper Recruit to Major. This supplemental is needed to cover the increased personal services costs as a result of this action.

\$3,612.1 of General Fund authorization is allocated as follows:

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\$ 43.8 Alaska Bureau of Highway Patrol \$ 30.7 Alaska Bureau of Judicial Services

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Align Village Public Safety Officer Program Funding Suppl -3,000.0

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\$ 62.1 Training Academy

change the function or outcomes of the program in any way. A reduction to funding for the Village Public Safety Program (VPSO) is based on actual program expenditures in FY17 through FY19 year to date, this does not

The VPSO program has historically had significant lapse due primarily to unfilled VPSO positions and has long had difficulty recruiting and retaining VPSOs. In FY17 and FY18 the VPSO program lapsed more than \$3 million in each year. As of the end of December, 2018, 10 of the 55 authorized VPSO positions (18%) were vacant. FY19 expenditures through the first half of the fiscal year suggest the program is likely to again lapse about \$3 million.

determine the most responsive and adequate way to address public safety needs across Alaska. This administration is committed to public safety in every community and is working collaboratively with the department and other entities and stakeholders to

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Office of Management and Budget State of Alaska

Released January 28, 2019

Scenario: FY2019 Supplemental (15621)

Component: Training Academy (AR P720) (524)

Statewide Support (165)

FY19 Classification Action for State Troopers to Retain & Recruit (ADN: 12-2019-3046) Suppl 62.1 62.1 62.1	Scenario/Change Record Title
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The salary ranges of job classes in the Law Enforcement Job Family (PJ01) responsible for front-line law enforcement activities were increased by one range effective September 1, 2018. This applied to all positions of the State Trooper ranks, from State Trooper Recruit to Major. This supplemental is needed to cover the increased personal services costs as a result of this action.

\$3,612.1 of General Fund authorization is allocated as follows:

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\$ 43.8 Alaska Bureau of Highway Patrol

\$ 30.7 Alaska Bureau of Judicial Services

\$ 301.4 Statewide Drug and Alcohol Enforcement Unit

\$ 2,285.4 Alaska State Trooper Detachments \$ 113.8 Alaska Bureau of Investigation

\$ 730.9 AK Wildlife Troopers

\$ 15.0 AK Wildlife Troopers Aircraft Section \$ 22.5 Village Public Safety Officer Program \$ 62.1 Training Academy

Training Academy Receipt Authority to Fully Collect Revenue from Municipalities (ADN: 12-2019-3057) Suppl 150.0 0.0 0.0 150.0

The Department of Public Safety, Training Academy, requests additional general fund program receipt (GF/PR) authority to fully collect all revenue generated in FY2019, in accordance with the legislative intent that the Academy generates more of its revenue from municipal departments. 1005 GF/Prgm 150.0 0.0 0.0 0.0

0.0

0

0

0

In addition, the Alaska Police Standards Council no longer subsidizes recertification classes for non-state law enforcement agencies, increase class sizes due to the departments retention/recruitment initiative, higher food costs, and longer academy (due to the legislative mandate of teaching 16 hours of sexual assault

training) has resulted in the need for increase GF/PR. **Component Totals** 212.1 62.1 150.0 0.0 0.0 0.0 0.0 0 0

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Office of Management and Budget State of Alaska

Released January 28, 2019